

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-370

June 24, 1998

MARTIN GOLDMAN V. CENTRAL
MAINE POWER COMPANY
Appeal of Consumer Assistance
Division Decision dated
May 7, 1998 CAD # 5639

ORDER ON APPEAL

WELCH, Chairman; NUGENT, Commissioner

I. SUMMARY

Martin Goldman appeals a decision of the Commission's Consumer Assistance Division (CAD) that found reasonable the payment arrangements offered by Central Maine Power Company (CMP) on Mr. Goldman's three accounts. We affirm the CAD decision and dismiss Mr. Goldman's appeal without further investigation.

II. BACKGROUND AND DECISION

Mr. Goldman has three accounts with CMP - one is residential and two are commercial. The two commercial accounts are related to his farming business. On May 5, 1997, Mr. Goldman asked CAD to delay CMP's threatened disconnection on all three accounts, due primarily to financial hardships from the January ice storm. Mr. Goldman owes over \$7,000 on his three accounts. He has not made any payments on any of the accounts since December 1997.

CMP negotiated several payment arrangements on each account to allow Mr. Goldman to pay his past due balances. CMP in May 1998 required Mr. Goldman to pay the catch-up amount on each account (\$821.38, \$751.38, and \$ 451.56, totaling \$2,024.32) and to resume his monthly payments on each account under the terms of his payment arrangement (\$216.00, \$149.00, and \$78.00, respectively), in addition to paying his current bill each month. The CAD found this arrangement to be reasonable given Mr. Goldman's payment history, the size of the overdue amount and the amount of time the bills have been outstanding.

For the first time in his appeal, Mr. Goldman stated that he had a medical condition that could be aggravated if disconnection occurs. The CAD contacted him by telephone on May 19, and by follow-up letter on May 20, informing him of his right to declare a medical emergency under Chapter 81 § 11. To date, Mr. Goldman has not declared such an emergency.

We find no error in CAD's decision and affirm the CAD decision that CMP's payment arrangement is reasonable. Therefore, we dismiss Mr. Goldman's May 12, 1998 appeal, without further investigation. We do urge CMP to continue to provide any available assistance or referrals to such small commercial customers to allow these customers to remain in business.

Dated at Augusta, Maine this 24th day of June, 1998.

BY THE ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of adjudicatory proceedings are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 6(N) of the Commission's Rules of Practice and Procedure (65-407 C.M.R.11) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which consideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.